IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 20616 of 2007(D)

PETITIONER:

K.C.KANNAN, AGED 66 YEARS,
S/O.A.V.CHIRUKANDAN VAIDYAR, 'SREE VALSAM",
AMBALATHARA, PULLUR VILLAGE AND P.O.,
HOSDURG TALUK, KASARAGOD DISTRICT.

BY ADV. SRI.JAWAHAR JOSE

RESPONDENTS:

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1. THE VILLAGE OFFICER, VILLAGE OFFICE,
PULLUR, KASARAGOD DISTRICT.

2. THE TAHSILDAR, TALUK OFFICE,
HOSDURG, KASARAGOD DISTRICT.

3. STATE OF KERALA, REPRESENTED BY
PRINCIPAL REVENUE SECRETARY TO GOVERNMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 20616 OF 2007 - D

Dated this the 20th day of July, 2007

J U D G M E N T

The petitioner is the husband of one Madhavi who died on 1.2.2001 while working as a Teacher in the Education Department. The petitioner is eligible for family pension on the death of his wife. He has been receiving the same till February 2007. Thereafter, the Sub Treasury Officer stopped disbursal of pension on the ground that the petitioner has to produce 'No Re-Marriage Certificate'. The complaint of the petitioner is that the first respondent is not issuing the same, although the petitioner has filed Ext.P1 request for this purpose along with notarised affidavit Ext.P2.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, I direct the first respondent, the Village Officer, to make enquiries as to whether the petitioner has re-married and if it is found that he has not re-married, the Village Officer

shall issue certificate to that effect. This shall be done within a period of one month from the date of receipt of a copy of this judgment. If, for any reason, the Village Officer is unable to issue such certificate, the Village Officer shall issue an order to that effect, stating the reasons as to why he cannot issue such a certificate.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007